

CHAPTER 19 MISSING PERSON INFORMATION CLEARINGHOUSE

[Prior to 4/20/88, see Public Safety Department[680] Ch 19]

661—19.1(694) Missing person information clearinghouse. The missing person information clearinghouse provides a program for compiling, coordinating, and disseminating information, with the aim of helping to locate missing persons through public awareness and cooperation, and for educating law enforcement officers and parents about the missing persons problem.

661—19.2(694) Administration of missing person information clearinghouse. The division of criminal investigation administers the missing person information clearinghouse statute and all questions, comments, or requests for, or submission of, information shall be directed to the division of criminal investigation. Correspondence should be addressed to: Missing Person Information Clearinghouse, Division of Criminal Investigation, Iowa Department of Public Safety, Wallace State Office Building, Des Moines, Iowa 50319.

661—19.3(694) Definitions.

“Approved” means having passed a set of criteria set by the department of public safety.

“Commercial product” means any item which is sold for a profit.

“Commissioner” means the commissioner of the Iowa department of public safety or the commissioner’s authorized designee.

“Department” means the Iowa department of public safety.

“Missing person” means an individual having temporary or permanent residence in Iowa, or who is believed to be in Iowa, whose location has not been determined, who has been reported as missing to a law enforcement agency, and meets one of the following characteristics:

1. Is physically or mentally disabled.
2. Is missing under circumstances indicating that the missing person’s safety may be in danger.
3. Is missing under circumstances indicating that the disappearance was not voluntary.
4. Is an unemancipated minor.

“Missing person report” means a report prepared on a form designed by the department of public safety for use by private citizens and law enforcement agencies to report missing person information to the missing person information clearinghouse.

“Prevention and education materials” means those materials which are designed to aid in the prevention of child abduction and address risks to missing children of exploitation and are used in conjunction with a prevention program.

“Prevention and education programs” means those programs which have as their primary purpose the prevention of child abduction and exploitation of missing children.

“Registry” means a list of prevention and education materials and programs maintained by the department of public safety.

661—19.4(694) Program information.

19.4(1) The department shall maintain a toll-free telephone line, available 24 hours a day, seven days a week to collect and disseminate information concerning missing persons in Iowa.

19.4(2) After filing a complaint of a missing person to a law enforcement agency, the person filing the complaint may submit information to the department on a Missing Person Report form.

19.4(3) If the missing person is an unemancipated minor, after the filing of a complaint of a missing person to a law enforcement agency, any person may submit information on a Missing Person Report to the department.

19.4(4) The department shall maintain a registry of approved prevention and education materials and programs regarding missing and runaway children. The department shall aid in the coordination of the efforts of both public and private programs for missing and runaway children.

19.4(5) Any individual or group may contact the department regarding prevention and education materials and programs to ascertain if a specific program or material is on the registry.

19.4(6) Any individual or group may contact the department regarding available prevention and education materials and programs on the registry.

19.4(7) Any individual may file a complaint with the department regarding prevention and education materials and programs on the registry. Complaints shall be directed to the Administrator, Missing Person Information Clearinghouse, Iowa Department of Public Safety, Wallace State Office Building, Des Moines, Iowa 50319, in writing.

661—19.5(694) Forms. These rules require the use of Form 380-1179, Missing Person Report form, for submission of information by citizens and law enforcement agencies to the department. Form 380-1179 is available from the department of public safety.

661—19.6(694) Program and material submission information. Any person or group wishing to submit prevention and education materials and programs for approval and inclusion in the registry may contact the department at the above address and request submission information. The information that shall be provided shall include a copy of the relevant Iowa Code sections, the Iowa Administrative Code and the criteria used to evaluate programs and materials.

661—19.7(694) Submission for approval. The department shall consider prevention and education materials and programs submitted for approval upon receipt by the department of all specified materials.

661—19.8(694) Qualifications for approval.

19.8(1) A prevention or education program must contain all elements determined necessary to adequately cover the subject matter, as established by the department.

19.8(2) A prevention or education program shall not contain any elements determined to be offensive, pornographic or which sensationalize the problem of missing persons.

19.8(3) Prevention and education materials shall meet standards established by the department.

19.8(4) Prevention and education materials and programs which have been approved by the National Center for Missing and Exploited Children are approved by the department.

19.8(5) The department shall not endorse any commercial product.

661—19.9(694) Program and material modification. Modifications to approved programs shall be submitted to the department for review to avoid disqualification under 661—19.10(694).

661—19.10(694) Disqualification after initial approval. A prevention or education program or material may be disqualified for inclusion in the registry of approved prevention and education materials and programs if it is determined by the department that materials utilized or content of the program is other than what was submitted to the department for initial approval.

661—19.11(694) Removal from registry. Any prevention or education program or material which has been disqualified by the department shall be removed from the registry.

661—19.12(694) Hearings. The findings and conclusions of the commissioner regarding approval of prevention and education materials and programs shall be final 30 days after the submitters receipt of

the findings unless within that time the submitter files a protest, with the Director of the Division of Criminal Investigation, Iowa Department of Public Safety, Wallace State Office Building, Des Moines, Iowa 50319, by personal service or certified mail.

The filing of a protest, as well as all proceedings under this rule, shall be in accordance with the procedures outlined in 661—Chapter 10 of the Iowa Administrative Code.

661—19.13(694) Release of information. Prevention and education materials and program information filed with the department for review are open records. Information pertaining to a missing person received by the department, exclusive of criminal investigative data, shall be open record unless deemed confidential pursuant to Iowa Code chapters 22, 692 and 694, or other provision of law.

661—19.14(694) Dissemination.

19.14(1) The department shall distribute missing person information, containing the names, photos, descriptions, and information related to the events surrounding those persons' disappearance in the form of a monthly bulletin. The law enforcement agency or person to contact if a person is located, and the names of all located persons will be included in the bulletin. The bulletin shall be sent to law enforcement agencies, media outlets and other individuals and agencies, which request missing person information.

19.14(2) Each week the department shall produce, update, and distribute public service announcements to media outlets which request missing person information. These announcements shall contain missing person information similar to that contained in the monthly bulletins.

661—19.15(694) Training. The department shall develop training programs for law enforcement personnel and the general public.

19.15(1) Training for local law enforcement personnel shall include missing person reporting and legal procedures, and the tracking of missing persons and unidentified bodies.

19.15(2) Training for the general public shall include information to assist in the avoidance of child kidnapping.

These rules are intended to implement Iowa Code section 694.10.

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